

**HAMILTON COUNTY BOARD OF COMMISSIONERS**  
**MARCH 12, 2001**

The Hamilton County Board of Commissioners met on Monday, March 12, 2001 in the Commissioner's Courtroom at the Hamilton County Judicial Center, One Hamilton County Square, Noblesville, Indiana. Executive Session was held at 1:00 p.m.

**Board of Finance:** (Tape 1, #13)

Holt called the Hamilton County Board of Finance meeting to order at 1:20 p.m. Ms. Sally Wilson, Hamilton County Treasurer, presented the 2000 Annual Investment Report and the December 2000 Monthly Investment Report. Dillinger motioned to adjourn the Board of Finance meeting. Holt seconded. Motion carried unanimously.

**Hamilton County Board of Commissioners Meeting:**

Dillinger called the Hamilton County Board of Commissioner's meeting to order. A quorum was declared present of Commissioner Steven A. Holt and Commissioner Steven C. Dillinger. Commissioner Sharon R. Clark was absent. The Pledge of Allegiance was recited by everyone.

**Executive Session Memoranda:**

Holt motioned to approve the Executive Session Memoranda for March 12, 2001. Dillinger seconded. Motion carried unanimously.

**Disabilities Awareness Month:**

President Dillinger read a proclamation from the Board of Commissioners declaring March as Disabilities Awareness Month in Hamilton County. Ms. Toni Elsworth, Janus Development thanked the Board for their continued support of people with disabilities and Janus Developmental Services in Hamilton County. Holt motioned to approve the Proclamation as read. Dillinger seconded. Motion carried unanimously.

**Bid Openings:** (Tape 1, #474)

**Resurface Contract 01-1, Various Roads in Clay and Washington Townships:**

Mr. Les Locke opened the bids for Resurface Contract 01-1, Various Roads in Clay and Washington Townships. Form 96, Bid Bonds, Financial Statements and Acknowledgment of Addendum #1 were included unless otherwise specified. 1) Milestone Contractors - \$717,157.65. 2) Grady Brothers, Inc. - \$744,185.00. 3) Shelly & Sands, Inc. - \$818,791.23 - the Highway Department did receive a fax copy of their Acknowledgment of Addendum #1. 4) Calumet Asphalt - \$796,835.00. 5) E&B Paving, Inc. - \$793,861.18. 6) Rieth-Riley - \$868,950.00. Mr. Locke recommended the bids be reviewed by the Highway Department for recommendation later in today's meeting. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Resurface Contract 01-2, Various Roads in Clay and Washington Townships:**

Mr. Locke opened the bids for Resurface Contract 01-2, Various Roads in Clay and Washington Townships. Form 96, Bid Bond, Financial Statements and Acknowledgment of Addendum #1 were included unless otherwise specified. 1) Milestone Contractors - \$394,958.30. 2) Grady Brothers, Inc. - \$411,000.00. 3) Shelly & Sands, Inc. - \$493,751.00. Acknowledgment of Addendum #1 was received via fax by the Highway Department. 4) Calumet Asphalt - \$411,310.00. 5) E&B Paving - \$492,910.91. 6) Rieth-Riley - \$452,125.00. Mr. Locke recommended the bids be reviewed by the Highway Department for recommendation later in today's meeting. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Strawtown Ave. Project Clearing Contract:**

Mr. Locke opened bids for the Clearing of Right-of-Way on Strawtown Avenue. Form 96, Bid Bond, Financial Statement and Acknowledgment of Addendum #1 were included unless otherwise specified. 1) Yardberry Landscaping - \$126,450.00. 2) Rhino Trucking - \$44,830.10. 3) Fox Contractors Corporation - \$84,234.46. Mr. Locke recommended the bids be reviewed by the Highway Department for recommendation later in today's meeting. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Highway Garage Renovation Project Change Order: (Tape 1, #1042)**

Mr. Dan Mayer, Envoy, Inc. requested approval of a Change Order for the Highway Garage Renovation for removal of five (5) existing light poles and installation of four (4) decorative light poles. The total change order is \$15,016.00. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Plat Approval: (Tape 1, #1077)**

**Mayflower Park:**

Mr. James Browning, Browning Investments, requested approval of the Final Secondary Plat for Mayflower Park, Lots 4, 5 and 6. Holt motioned to approve the Secondary Plat for Mayflower Park. Dillinger seconded. Motion carried unanimously.

**Highway Business:**

**Village Farms Stop Sign: (Tape 1, #1155)**

Mr. Richard Fiorelli, 826 Greyhound Pass, stated the Board of Commissioners removed two stop signs on Greyhound Pass. Those stop signs have been in place since 1985. In 1977 until 1985 we tried to have stop signs or some type of traffic control installed in Village Farms and could not get them installed because the roads were not dedicated to the County. At that time there were 65 homes in Village Farms. Cars speed in this area. In late afternoons the sun is directly in your eyes and it is difficult to see when coming around the corner. In 1985 a child was hit and almost killed because the truck that hit him was speeding and could not see the boy because of the sun was in his eyes. At that time we presented our problems to the Board of Commissioners and they voted to put stop signs in the area. The areas chosen for the stop signs were areas that children gather and areas where cars tended to speed. Today, Greyhound Pass runs through to Springmill Road. There are almost 700 homes in Village Farms. US 31 is no longer a cornfield. Traffic in our area has increased ten fold. The county reacted to a single letter from Ms. Hillemeyer by removing stop signs that have protected our community for 16 years. No one in our area was consulted and as far as he knows not even the Sheriff's Department was consulted. Mr. Fiorelli asked how, by removing these signs, has the public safety, health and well being been improved for Village Farm residents? Why were the signs removed and on what basis were they removed? Mr. Locke stated the Highway Department received a request to evaluate those two locations to remove the signs. The Highway Department investigates each request regardless if they are a single request or a group of people. The number of people making the request does not affect the results of the study or whether we perform the study. Based on the requirements set for warrants for a four-way stop, we found those signs were not warranted. Those warrants are set up to maintain a balance of safety and efficiency of our roadway system. Based on the results of the study we recommended to the Board of Commissioners that these signs be removed. They concurred and directed the Highway Department to remove the signs. Mr. Fiorelli asked how does removing of stop signs improve the safety, health and welfare of a residential neighborhood? Mr. Locke stated one of the issues is if you continued to put up unwarranted stop signs where they are not required, people tend to start disregarding them and they start sliding through those stop signs and then they proceed to start going through other stop signs where they are warranted and then you start having more problems at those intersections. We have found that these signs do not effect speed between intersections. We feel that the safety of removing the stop signs is actually better to not have them there than at that location. Mr. Fiorelli stated you are saying the stop sign is creating the problem of the decision of the driver. We make a decision to stop at a stop sign or go through a stop sign. The report by Mr. Chris Burt states there have been no accidents at this intersection since 1998. There are no accidents there because the stop signs are working. The cars are going by so

fast the residents can not get out of their driveways. It is an "S" turn. Mr. Fiorelli presented a petition signed by everyone who lives on Greyhound Pass requesting the stop signs be returned. Mr. Fiorelli asked the stop signs be returned. They served a purpose for 16 years. Mr. Locke stated the Highway Department stands by their recommendation.

Dan Nickel, Chief Deputy of the Hamilton County Sheriff's Department, stated in the past two years we have had an average of 16 details per month on Greyhound Pass. Our concern is that Greyhound Pass is used as a major thoroughfare, even with the addition of the 146th Street bridge. Most of the details in the Greyhound Pass area are because of complaints from citizens that live there about the speeding traffic. As far as the actual intersections Mr. Fiorelli refers to, there are seven details that were specifically assigned to those crossroads because the stop signs were pulled and most of those were pulled over to get tickets or violations. That shows those signs were doing something for us. It is the Sheriff's Department's contention that by pulling these signs, if we do have a child injured it would be one child to many. Holt asked if Major Nickel went and looked at the intersections? Major Nickel stated yes. Holt asked if he saw any sight distance problems? Major Nickel stated the only sight distance problem he saw was in the afternoon when the sun is going down, it is a definite problem. Due to the curve situation and people realizing the signs are not there, the people will not slow down their speed at all. Holt stated he understands we have a long standing policy that we won't put stop signs up for speed control, however if there is a sight distance problem that is another issue. Both of these intersections sit on curves, can the curve issue justify a stop sign for sight distance problems for people who are pulling out of the cul-de-sac streets? Mr. Locke stated it could if the curve is such that you could not get your minimum sight distance, but that is not the case at this location. Mr. Chris Burt stated he did look at sight distance. At 25 mph sight distance is less than 300', which we easily have at the intersections from either direction.

Ms. Jan Quick, 839 E. Greyhound Pass, stated their driveway is the second driveway from the stop sign and you can not see anyone coming up that curve from their driveway. The speed has increased a lot since the stop sign has been removed.

Dr. Albert Dupont, 15023 Shoreway East, stated exactly at 25 mph from the neighbor that is on the pond that is due west of him, if he travels at 25 mph there is exactly 11 seconds from that driveway from where the sign used to be. At optimum visibility the driveway north of that, the response time is less than 5 seconds as he reaches the road. Speed perceptions are very real. The only signs posted on Oakridge, with the construction going on are 40 mph signs. When you come to the Greyhound Pass and Oakridge intersection, the sign immediately north on Oakridge reads 40 mph. That is the last thing you see in terms of speed. If you take an easterly turn on Greyhound Pass at that point to the Target yield sign on Greyhound Pass there is not one speed indicator sign going east. The mental perception is 40 mph. If they are going west there are 25 mph signs. He is not advocating more signs, but this is one of the dilemmas presented.

Ms. Holly Gadonski, 15008 Shoreway, stated they have lived in all areas of the country where they have learned to live in all kinds of traffic situations. There are no sidewalks on Greyhound Pass and there are pedestrians on the streets. Her daughter could not walk her bike across the street because there is the blind curve. Since the sign has been gone, traffic is moving too fast. There is an enforcement issue.

Dillinger asked Major Nickel to talk to his deputies to have an officer out there for the next several weeks? Major Nickel stated they can do that. With all the other neighborhoods that complain, we can't get them everyday.

Holt motioned to place the signs back in. He knows it is inconsistent with our historical acceptance of the Highway Department recommendation and he embraces the logic for doing that. 2700 cars running east and west and 20 cars going north/south is about as disproportionate as he has ever seen. You are certainly justified with your recommendation that you brought us. Historically we have never used stop signs for speed control. In making this motion he is hanging his hat on sight distance issue only. It is the only way we can justify if we are going to stay true to our belief that stop signs are not for speed control. He has heard a number of people testify that there is a sight distance issue and that safety concern is something that bears consideration. As one of the two commissioners who removed the sign he apologized to Mr. Fireolli for the amount of time he has committed to this. You have secured petition

signatures and he appreciates his effort he has gone to bring this to our attention. Dillinger seconded. Holt stated he has concerns about the speed limit signs and asked Mr. Locke to look at that. Motion carried unanimously.

**Road Cut Permits: (Tape 1, #3098)**

Mr. Locke requested approval of Open Road Cut Permits: 1) P20001047 - Wilfong Construction Company, Inc. at 47' east of Ditch Road on 146th Street for a 12" water main extension Brookstone Park. 2) P2001048 - Wilfong Construction Company, Inc. at 63' north of 146th Street on Ditch Road for 12" water main extension Brookstone Park. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit - Highway Department:**

Mr. Locke requested acceptance of Bonds/Letters of Credit for the Highway Department: 1) HCHD #B99-0113 - Amwest Surety Insurance Company Continuation Certificate issued for Cruz-Cell, Inc. in the sum of \$25,000 to expire September 22, 2001. 2) HCHD #B01-0013 - Safeco Insurance Company Bond No. 6095642 issued for Marathon Ashland Petroleum in the sum of \$25,000 for Category 3b, Liquid Asphalt to expire February 28, 2002. 3) HCHD #B01-0014 - Western Surety Company Bond No. 69126594 issued for American Timber Bridge & Culvert, Inc. in the sum of \$5,000 for supplying pre-engineered treated timber bridge, culvert, salt storage building packages and components for a period of March 2, 2001 and ending March 1, 2002. 4) HCHD #B01-0015 - United States Fidelity and Guaranty Company Performance Bond No. 400SE0221 issued for E&B Paving, Inc. in the amount of \$15,000 for HMA Bituminous Paving Mixtures for the period of 3/1/01 to 2/28/02. 5) HCHD #B01-0016 - United States Fidelity and Guaranty Company Payment Bond No. 400SE0221 for E&B Paving, Inc. in the amount of \$15,000 for HMA Bituminous Paving Mixtures for the period of 3/1/01 to 2/28/02. 6) HCHD #B01-0017 - Travelers Property Casualty Permit Bond No. 103531099 issued for Engledow, Inc. in the sum of \$5,000 to expire March 6, 2002. 7) HCHD #B01-0018 - Ohio Farmers Insurance Company Performance Bond No. 5885773 issued for Chemi-Trol Chemical Company in the sum of \$15,000 for application of pavement markings to various roads in the county of Hamilton, State of IN, item #8 - pavement traffic markings. 8) HCHD #B01-0019 - Ohio Farmers Insurance Company Payment Bond No. 5885773 issued for Chemi-Trol Chemical Company in the sum of \$15,000 for application of pavement markings to various roads in Hamilton County, item #8 - pavement traffic markings. 9) HCHD #B01-0020 - Fidelity and Deposit Company Permit Bond No. 08536875 issued for J&M Development Company, Inc. in the sum of \$5,000 to expire March 1, 2002. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Highway Department:**

Mr. Locke requested release of Bonds/Letters of Credit for the Highway Department: 1) HCHD #B970055 - Travelers Casualty & Surety Company Bond No. 27 S 103012355 BCM issued for Woodland Country Club as sign installer. 2) HCHD #L970004 - NBD Bank, N.A. No. 00037932 issued for Land Innovators Company in the sum of \$2,200 for Sutton Place, Section II. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**296th Street Interchange Study:**

Mr. Locke stated they have contacted Madison and Tipton County's to see about their participation in the 296th Street interchange study. Both of those agencies say they don't have the money to do that right now. Tipton County may be interested in funding that at some point. We have done a field review, Madison County felt it was more of the State's obligation because three of the four approaches are theirs. Duck Creek is right next to the intersection, if this was to be done as an interchange it is more than likely that the entire SR 37 alignment would be pushed away from Duck Creek, pushing most of the land acquisition into Madison County. If they are not interested in pursuing this at this time it might be futile for us to do so, depending on how in depth we want to get into relocating SR 37. At this time he does not know if we want to proceed with this. If we were to proceed with anything he would rather it be Strawtown Avenue, which we did not study with it's proximity to the river which makes it almost impossible to build at it's existing location. He is not sure how it would be handled in the future. It would be difficult to make that

happen and get the ramps to touch down due to its proximity of the White River. Both of those intersections would take quite a bit of more detail study than what the ones already completed have. Holt asked if we should send a new letter asking both of those jurisdictions asking if we did it if they would incorporate it into their thoroughfare plan? Mr. Locke stated we could do that, Tipton County may pay for their part of it. Holt asked Mr. Locke to send a letter to Madison County about incorporating it into their thoroughfare plan. Dillinger stated he agrees with Madison County. Those are State highways, why would we do it? Holt stated the State does not have the lead to require right-of-way for any new development that comes in. SR 37 is going to explode. If we do the study and the counties get it into their zone map, then they will be able to get the right-of-way dedicated from the developer when they come along. Mr. Locke stated we have done nine interchanges on SR 37 as urban interchanges. Dillinger asked what kind of cost? Mr. Locke stated the other's ran between \$6-7,000. He does not think this would be over \$10,000, it is a little more complicated than the others. Dillinger stated he would support sending a letter to the County Commissioners asking for their support and if they were not willing to participate if we picked up the costs would they put it in their thoroughfare plan. Mr. Locke asked Mr. Locke to dictate a letter for commissioners signature. Holt stated he would like to study Strawtown Avenue. Mr. Locke stated he will speak to United Consulting and bring back a cost to the commissioners.

#### **Highway Projects: (Tape 2, #236)**

Mr. Locke stated the County Council turned down our requests for funding of three projects - 96th Street and Olio Road to Geist, 96th Street to Fall Creek to Olio Road and 236th Street from US 31 to Cicero. Mr. Locke asked if the commissioners would like the Highway Department to resubmit a request for additional for those three projects? Currently the Olio Road and 96th Street projects were out of excess bond money, the 236th Street was out of Local Road and Street. We do have sufficient monies in Local Road and Street account for all three projects. Dillinger motioned to resubmit them as submitted this month. Holt seconded. Motion carried unanimously.

#### **Acceptance of Right-of-Way:**

Mr. Locke requested acceptance of right-of-way from J. Terrence O'Brien along US 31 south of 276th Street in regards to an O'Brien rezone at that location. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

#### **Request Permission to Advertise:**

Mr. Locke requested permission to advertise for Resurface Contract 01-3, Various Roads in Fall Creek Township. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

#### **Engineering Agreement:**

Mr. Locke requested approval of an Open End Engineering Agreement, HCHD #M01-0014 with American Consulting, Inc. for minor projects. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

#### **Bid Awards:**

##### **Resurface Contract 01-1:**

Mr. Locke recommended Resurface Contract 01-1, various roads in Clay and Washington Townships be awarded to Milestone Contractors as the lowest responsive bidder in the amount of \$717,157.65. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

##### **Resurface Contract 01-2:**

Mr. Locke recommended Resurface Contract 01-2, Various Roads in Clay and Washington Townships be awarded to Milestone Contractors as the lowest responsive bidder in the amount of \$394,958.30. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Strawtown Avenue Project Clearing Contract:**

Mr. Locke recommended the Strawtown Avenue Project Clearing Contract be awarded to Rhino Trucking in the amount of \$44,830.10. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**96th Street Project Status Report:**

Mr. Locke stated the audit of the 96th Street Project has been completed. The 96th Street Project from Lakeshore Drive to I-69, appears that it will be approximately \$2.1 million underneath the original expenses that the four agencies would have had to spend. We cut the costs to Carmel, Fishers, Indianapolis and Hamilton County by about 9.6%. We have submitted a request for our final federal aid money in the amount of approximately \$459,000. Mr. Locke requested permission to send the letter to the locals regarding releasing some of the funds and he recommended preparing an amendment to the interlocal agreement to close out the account. Hamilton County would be responsible for additional funds for future INDOT audits. INDOT audits could be another three years. There is an issue that Indianapolis has never requested payment for four parcels and they are holding money back for that. Hamilton County would pay out money to pay out the rest of the amount for wetland mitigation revues. Additional repairs may be needed at the end of this period. Mr. Locke would recommend taking this responsibility instead of holding this money. Hamilton County would take any remaining liability regarding uncompleted right-of-way on our side and Marion County would take responsibility for their side. Hamilton County has two parcels that need to be cleared up. Marion County has about 10 parcels outstanding. We need to keep some funds in there for 2-4 years. Holt asked Mr. Howard and Mr. Locke to discuss what amount of funds should be kept back and bring back a recommendation at the next meeting. Mr. Locke asked if in the draft letter if he removed the part about the interlocal agreement closing out the account, as far as returning money to them. We still have outstanding federal aid funds coming in plus we have money to settle any right-of-way issues. We will not be bringing it down to zero. Mr. Locke asked if he could send a letter to the locals asking them to review the report and to ok a partial release of the funds? Dillinger stated this is hugely significant that a \$22 million project involved four governmental entities and come in almost 10% under budget and \$2 plus million returned. Mr. Howard stated this project was talked about for 20 years before it came to fruition. Holt stated this project won these four entities an outstanding achievement award because there are not many examples of four governments coming together to do a project and fund it. To our knowledge, in Indiana this has never been done before. Hamilton County Highway Department acted as the overall coordinator of the entire project. The credit for the savings lands on Les Locke and the engineering department at the highway department. Holt congratulated Mr. Locke for sticking with this in spite of bigger projects that have come since for going after the additional federal funds and everything else in terms of housekeeping that turns in to very large dollars for us and our three partners. Dillinger complimented Mr. Locke and his staff and Mr. Stevens for a job well done. The commissioners appreciate everyone's efforts. Mr. Locke stated he will forward the summary report to the County Council.

**146th Street Update: (Tape 2, #819)**

Mr. Jim Neal stated we are still in the process of setting beams for the 146th Street over White River Bridge. They were only to set six (6) beams on Friday. There is a total of 16 beams for this bridge. They were unable to get permits from the State to haul beams on Saturday, so they could not work on Saturday. They hope to set eight (8) beams today and two (2) beams tomorrow. The actual taking the beams off the truck is not hard, but it is risking to have anyone near the truck while they are removing the beams, which necessitated the closure of 146th Street.

**Antique Grader:**

Mr. Tom Stevens stated in his efforts to tie up loose ends for the highway department's move he reported to the commissioners that there would not be a place at the new facilities to locate the antique grader. Mr. Stevens stated that report was in error. There is room in the southwest corner. Mr. Stevens stated the grader was donated to the highway department by a Mr. and Mrs. Berry. Mrs. Geneva Berry is an ex-employee of the highway department. It was donated to the county to be placed at the entrance of the highway department. When Mr. Steven spoke to Mrs. Berry she was disappointed to hear we might get

be getting rid of it. Mr. Stevens stated at this point it is his recommendation the grader be placed at the entrance to the new facilities. Holt motioned to table. Mr. Stevens stated within two weeks there will be a 7' x 20' concrete pad placed at the new location for the grader and that needs to be done now or something will have to be done after the fact.

Dillinger called a recess at 3:45 p.m. Dillinger called the meeting back to order at 4:10 p.m.

#### **Antique Grader Continued:**

Holt motioned to place the antique grader at the highway department's new facilities. Dillinger seconded. Motion carried unanimously.

#### **Ameritech Contract:** (Tape 2, #1039)

Ms. B.J. Casali requested approval of a contract with Ameritech for Internet services. The current contract expires this month. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

#### **Highway Facilities Open House:**

Mr. Stevens proposed hosting an open house and dedication of the new highway facilities. The Open House will be held Thursday, April 19, 2001 with the dedication at 12:30 p.m. with the open house to follow.

#### **Annual Operational Report - Highway Department:**

Mr. Stevens requested approval of the Annual Operational Report for the Hamilton County Highway Department. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

#### **Health Benefit Trust:**

Ms. Sheena Randall stated at the last meeting the Commissioner's approved the signers for the Health Benefit Trust Account. Ms. Randall requested a revision in the signers. The revision would state that Mary Dishinger, Vice President of Nyhart as initial signer, Kim Zorella, Senior Vice President of Nyhart would be her back-up. Robin Mills, Hamilton County Auditor and Sally Wilson, Hamilton County Treasurer would also be signers. Ms. Randall also requested the following be authorized to make transfers from the checking account to the savings account, but they would not have authorization to disburse funds: Dawn Coverdale, Angel Edwards, Sheena Randall, Kim Rauch, Kimberly McConnell and Lynne Bellinger. Mr. Howard stated he has reviewed this with the bank and they do approve this. Holt asked if any one signature in the county would suffice? Ms. Randall stated Robin, Sally or either individual from Nyhart could sign. Holt asked if the employees could transfer funds by themselves? Ms. Randall stated yes, only to move from the savings to the checking and Nyhart would be the only person allowed to disburse funds by writing a check. Ms. Robin Mills stated the amount of the funds being transferred comes from Nyhart. There is no room for error by her staff. Holt asked if an office holder should co-sign the transfer. Mr. Howard stated the money is not going out it is just going from one account to another account. Holt motioned to approve. Dillinger seconded. Motion carried unanimously. There is currently \$1,366,000.00 in the trust. We are in the midst of running the trial period and once the Micr codes are working we will funnel all of the money out of our accounts at Key Bank to Metro Bank.

#### **Advanced Spanish Courses Contract:**

Mr. Randall requested approval of the contract with Ivy Tech for the Advanced Conversational Spanish course. We have eight (8) people who are interested in the course and two (2) people definitely taking the class. They are employees from the courts and the Sheriff's Department. The costs will be deducted from each of the department's budgets. Classes will be held for seven weeks for a total of 14 hours. Cost is \$1,800. Classes start May 7, 2001. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

#### **Insurance Committee:**

Dillinger asked when is the Insurance Committee coming for approval of the rate increase? Ms. Randall stated she thought Jeff was sending information regarding the rate increase. Dillinger stated someone needs to come in before April 1st for the renewal. Ms. Randall stated she will be on the next agenda.

#### **Diversity Taskforce:**

Holt stated the Diversity Taskforce is in the process of winding down its work. There should be a formal report at the next Commissioner's meeting. The Alliance Board of Directors voted to embrace the Diversity Taskforce report and be the umbrella agency for the international center for the county. Dillinger asked what action was taken by the County Council? Ms. Mills stated there was a request for an additional \$70,000. Dillinger asked if that was approved? Ms. Mills stated it has received a favorable recommendation and it was advertised for the April 11th County Council meeting.

#### **Additional Life Insurance:**

Ms. Randall stated she has not received the documentation from Nyhart for raising the additional life insurance from \$30,000 to \$50,000. She will send out notification as soon as she receives the packet.

#### **Criminal Justice Taskforce:**

Dillinger stated the Criminal Justice Taskforce has met and reviewed the RFP and who it would be sent to. The RFP's went out last week. They should be coming back in the next couple of weeks and after review by the committee a recommendation will be brought to the commissioners.

#### **Attorney:** (Tape 2, #1810)

#### **Hazel Dell Road Construction Agreement:**

Mr. Michael Howard requested approval of an agreement for construction of Hazel Dell Road from 146th Street to the intersection of Hazel Dell Road and SR 32. We anticipate the budget for this project to be approximately \$17.3 million. The agreement states that the City of Noblesville and Hamilton County share the costs 50/50 for design engineering, right-of-way engineering, and right-of-way services costs. The balance of the costs for right-of-way land, utility relocation, construction inspection will be funded by bond issues by the county or it's redevelopment authority. The debt service would be divided pro-rata based on the percentage of right-of-way or land contiguous to right-of-way that has been annexed by the City of Noblesville in each year. As they continue to annex in that area they would be responsible for reimbursing the county for those annual costs. Mr. Howard thanked Mr. Locke for putting the initial draft of the agreement together. This agreement has been reviewed by Mr. Howard and is subject to appropriation and funding. Holt motioned to approve. Dillinger seconded. Dillinger stated there was a tremendous amount of cooperation between the city and the county. The City of Noblesville is getting ready to four lane Little Chicago Road north of SR 32. Our hope is to stimulate the State to go ahead with their plans to realign the intersection of Little Chicago Road and Hazel Dell Road, which they have said they would do in a timely basis. To make this a four lane road from South Harbour to 146th Street is vitally important to the traffic flow to this part of the county. Motion carried unanimously. Mr. Stevens asked if the motion includes the Highway Department to submit an application to the County Council for an additional? Holt stated it did.

#### **Release of Escrow - Community Corrections Project:**

#### **Terstep Company:**

Mr. Howard requested approval of the Release of Escrow in the amount of \$47,637.70 for Terstep Company for the Community Corrections Project. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

#### **Kinder Land Acquisition Offer:** (Tape 2, #2076)

Mr. Howard requested approval of a letter for a Land Acquisition offer to Mr. James S. Kinder and Sue



Ann Kinder, 8685 E. 146th Street, Noblesville. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Liability Trust Claim:**

Mr. Howard requested approval of a claim to the Liability Trust in the amount of \$2,900.00. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Administrative Assistant:** (Tape 2, #2127)

**Assessor's Furniture:**

Mr. Fred Swift stated the County Assessor is requesting purchasing five additional desks. She is preparing for reassessment and reconfiguring her office to get more desk space. The request is for \$5,500.00, which comes out of the Commissioner's furniture line item. Holt motioned to approve. Dillinger seconded. Motion carried unanimously. Mr. Swift stated the Assessor has offered to pay 40% out of the Reassessment funds. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Proposed Power Plant:**

Mr. Swift stated the Commissioners received a letter regarding the proposed power plant at 216th Street. Mr. Swift prepared a response for the Commissioners review and approval. Holt motioned to send the response. Dillinger seconded. Motion carried unanimously.

**Request for Use of Jury Assembly Room:**

Mr. Swift stated Mr. Holt has requested use of the Jury Assembly Room on June 3, 2001 for a Boy Scout Jamboree Meeting. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Solid Waste Board Insurance:**

Mr. Swift stated we have asked Noblesville and Carmel to share a pro-rated share of the increasing insurance rate for the Solid Waste Errors and Omissions. Carmel has responded by letter stating they are not legally bound to do that. Mr. Swift asked how the commissioners would like to proceed? Holt motioned that the County pick up the cost of the insurance. Dillinger seconded. Motion carried unanimously.

**Mayor Peterson Meeting:**

Mr. Swift stated he is continuing to set a meeting with Mayor Peterson and the Commissioners. He has not had a response from the Mayor's office yet.

**Board of Commissioner's Meeting Schedule:**

Mr. Swift stated Ms. Clark will not be able to attend the May 14th Board of Commissioners meeting.

**Humane Society Bills:**

Mr. Swift stated the Humane Society has submitted their first bill of the year and at this rate it will take all the money appropriated.

**Common Wage Committee Appointments:**

Mr. Swift stated Carmel Clay Schools has requested an appointment to their Common Wage Board of Sam Robinson. Holt motioned to approve. Dillinger seconded. Motion carried unanimously. Mr. Swift stated the City of Carmel has requested an appointment to their Common Wage Committee of Joe R. Clark. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Auditor:** (Tape 2, #2479)

**Liability Trust Claims:**

Ms. Robin Mills requested approval of Liability Trust Claims for the Sheriff's Department: 1) \$4,278.55 payable to Crawford and Company; 2) \$1,372.25 payable to Miller's Auto Body. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Clerk of the Circuit Court Monthly Report:**

Ms. Mills requested acceptance of the January 2001 Monthly Report of the Clerk of the Circuit Court. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**County Treasurer's Monthly Report:**

Ms. Mills requested acceptance of the November 30, 2000 Monthly Report of the County Treasurer. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Township Trustee Quarterly Poor Relief Reports:**

**Delaware Township and Clay Township:**

Ms. Mills requested acceptance of the Delaware Township Trustee and Clay Township Trustee Quarterly Poor Relief Reports. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Vendor Claims:**

Ms. Mills requested approval of Vendor Claims to be paid March 13, 2001. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Payroll Claims:**

Ms. Mills requested approval of Payroll Claims for the period of February 17 to March 3 to be paid March 16, 2001. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Release of Bonds/Letters of Credit - Drainage Board:**

Ms. Mills requested release of Bonds/Letters of Credit for the Drainage Board: 1) HCDB -L980021 - PNC Bank Irrevocable Standby Letter of Credit No. S903722OHO for Kingsborough Sec. 3 for monuments in the amount of \$650.00 (HCDB-L01-001 replaced by new Letter of Credit from Fifth Third Bank). 2) HCDB - B00-016 - Developers Surety and Indemnity Company Performance Bond No. 885595S for Centennial Townhomes for storm sewers in the amount of \$107,297.00. Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

**Acceptance of Bonds/Letters of Credit - Drainage Board:**

Ms. Mills requested acceptance of Bonds/Letters of Credit for the Drainage Board: 1) HCDB - B01-005 - Fidelity and Guaranty Insurance Company Performance Bond No. 400SE0453 for the proposed reconstruction of the Paulsel and Paulsel Drain in the amount of \$10,000.00. 2) HCDB - L01-001 - Fifth Third Bank Irrevocable Standby Letter of Credit No. SB12638 for Kingsborough Sec. 3 for monuments in the amount of \$650.00 (HCDB-L980021 replaces PNC Bank Letter of Credit No. S903722OHO). Holt motioned to approve. Dillinger seconded. Motion carried unanimously.

Holt motioned to adjourn the meeting. Dillinger seconded. Motion carried unanimously. Meeting adjourned at 4:45 p.m.

**Commissioners Correspondence:**

Highway Garage Renovation Meeting Minutes of 2/21/01

IDEM Notice of Sewer Permit Applications:

Clay Township Regional Waste District

Fairways at Prairie Crossing, Section 2 - Noblesville

Greens at Prairie Crossing, Section 3 - Noblesville

Morse Pointe, Section 5 - Noblesville

Carmel Fire Station No. 46 - Carmel

The Highlands at Stony Creek, Section 1C - Noblesville

Geist Overlook, Section 3 - Fishers

IDEM Notice of Renewal of National Pollutant Discharge Elimination System Permit:

Arcadia Municipal STP

IDEM Request for Approval Voidance Confined Feeding Operation:

Farm ID #1260

IDEM Notice of Appeal Rights:

Setter's Place Subdivision - Westfield

Northpoint, Section Three - Noblesville

Guilford Park - Carmel

Windermere Pointe, Sections 3 and 4 - Fishers

Merchants Pointe - Carmel

City of Noblesville Notice of Public Hearing:

146th Street and Allisonville Road

SR 32, 1000' east of SR 37

Notice of Brownfields Conference

**Present:**

Steven C. Dillinger, Commissioner

Steven A. Holt, Commissioner

Robin M. Mills, Auditor

Fred Swift, Administrative Assistant to Commissioners

Kim Rauch, Executive Secretary to Auditor

Michael A. Howard, Attorney

Wayne A. Farley, Deputy Sheriff

Tom K. Stevens, Highway Director

Les Locke, Highway Engineer

Amy Rayle, Highway Public Service Representative

Virginia Hughes, Administrative Assistant to Highway Engineer

Jim Neal, Highway Project Engineer

Dave Lucas, Highway Inspector

Steve Broermann, Highway Technical Engineer

Mark Fisher, Highway Technical Engineer

Christopher Burt, Highway Staff Engineer  
Tim Knapp, Highway Right-of-Way Specialist  
Matt Morasch, Transportation Development Engineer  
Matt Knight, Highway Staff Engineer  
Mike McBride, Small Structure Staff Engineer  
Dustin Teachnor, Highway Assets Manager  
Jami Berry, AECON Engineering  
Toni Elsworth, Janus Developmental Services, Inc.  
Sally Wilson, County Treasurer  
Melody Krueger, Greyhound Pass  
Dr. Albert A. Dupont, Greyhound Pass  
Charles Rohe, HSE Student  
Jose Moralie, Fox Contractors, Corp.  
Martin Keiser, Rieth-Riley  
Kathy Howard, Highway Department  
Emily Pittman, Ledger  
Floyd Burroughs, Floyd Burroughs & Associates  
Jason Bynum, Strawtown Avenue Clearing  
Greg Nelting, Milestone Contractors  
Cory Smith, Calumet Asphalt Paving  
Jan Quick, Greyhound Pass  
Mike McGill, GBD  
Chuck Bracken, Shelly & Sands  
Matt Kelley, Shelly & Sands  
Larry Canterbury, E&B Paving  
Holly Gadonski, Village Farms  
Richard A. Fiorelli, Village Farms  
Dan Mayer, Envoy, Inc.  
Susan Miller, Indianapolis Star  
James Browning, Browning Investments

Dan Nickel, Sheriff's Department

Becki Wise, USI Consultants

APPROVED:

HAMILTON COUNTY BOARD OF COMMISSIONERS

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ATTEST:

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Robin M. Mills, Auditor